

Form PTO-1486 (MODIFIED) 1 9 2005 U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.  
075496-0196

SERIAL NO.  
10/776,095

**INFORMATION DISCLOSURE CITATION**

APPLICANT  
Johnson et al.

FILING DATE  
2/11/2004

GROUP ART UNIT  
3672

Use several sheets if necessary)

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	A1	Docket Sheet for Memry Corporation v. Kentucky Oil Technology, N.V., Case No. H-04-1959 (S.D. Tex.) (PACER 6-2-2005) (5 pages).
	A2	Docket Sheet for Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.) (PACER 8-11-2005) (13 pages).
	A3	Communication from United States District Court Transferring Case, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. H-04-1959 (S.D. Tex.), dated 9/7/04 (1 page).
	A4	Plaintiffs' Original Complaint, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. H-04-1959, (S.D. Tex.), filed May 14, 2004 (20 pages).
	A5	Defendants' Motions (1) to Dismiss the Complaint for Insufficiency of Process and Lack of Personal Jurisdiction, (2) to Dismiss Counts I-III of the Complaint for Failure to State a Claim, and (3) in the Alternative, to Transfer This Action to the Federal District Court for the Northern District of California, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. H-04-1959, (S.D. Tex.), filed July 7, 2004 (49 pages).
	A6	Plaintiffs' First Amended Complaint, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed August 19, 2004 (20 pages).
	A7	Answer of Defendants and Counterclaims of Kentucky Oil Technology N.V. Against Memry Corporation and Schlumberger Technology Corporation, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.) filed November 2, 2004 (20 pages).
	A8	Plaintiff and Counterdefendant Memry Corporation's Answer to Kentucky Oil Technology N.V.'s Counterclaims and Demand for Jury Trial, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed December 3, 2004 (10 pages).

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	A9	Schlumberger Technology Corporation's Notice of Motion and Motion to Dismiss Kentucky Oil Technology's Third, Fourth, Fifth, and Sixth Counterclaims; and Memorandum of Points and Authorities, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed January 24, 2005 (32 pages).
	A10	[Proposed] Order Granting Schlumberger Technology Corporation's Motion to Dismiss Kentucky Oil Technology's Third, Fourth, Fifth, and Sixth Counterclaims, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed January 24, 2005 (3 pages).
	ATT	First Amended Counterclaims of Kentucky Oil Technology N.V. Against Memry Corporation and Schlumberger Technology Corporation, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed February 9, 2005 (16 pages).

EXAMINER

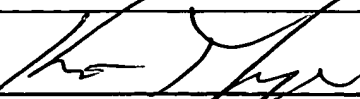
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Form PTO-1449 (MODIFIED)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 075496-0196	SERIAL NO. 10/776,095
INFORMATION DISCLOSURE CITATION  (Use several sheets if necessary)		APPLICANT Johnson et al.	APPLICANT
		FILING DATE 2/11/2004	GROUP ART UNIT 3672

<del>A12</del>	Schlumberger Technology Corporation's Notice of Motion and Motion to Dismiss Kentucky Oil Technology's First Amended Third, Fourth, Fifth, and Sixth Counterclaims; and Memorandum of Points and Authorities, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed February 24, 2005 (32 pages).
A13	Request for Judicial Notice in Support of Schlumberger Technology Corporation's Motion to Dismiss Kentucky Oil Technology's First Amended Third, Fourth, Fifth, and Sixth Counterclaims, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed February 24, 2005 (3 pages).
A14	[Proposed] Order Granting Schlumberger Technology Corporation's Motion to Dismiss Kentucky Oil Technology's First Amended Third, Fourth, Fifth, and Sixth Counterclaims, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed February 24, 2005 (3 pages).
A15	Plaintiff and Counterdefendant Memry Corporation's Notice of Motion and Motion to Dismiss Kentucky Oil Technology's Third, Fourth, Fifth, and Sixth Counterclaims; and Memorandum of Points and Authorities, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed February 25, 2005 (29 pages).
A16	Request for Judicial Notice in Support of Memry Corporation's Motion to Dismiss Kentucky Oil Technology's Third, Fourth, Fifth, and Sixth Counterclaims, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed February 25, 2005 (3 pages).
A17	[Proposed] Order Granting Memry Corporation's Motion to Dismiss Kentucky Oil Technology's Third Fourth, Fifth, and Sixth Counterclaims, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed February 25, 2005 (3 pages).
A18	Opposition of Kentucky Oil to Motions of Memry Corporation and Schlumberger Technology Corporation to Dismiss First Amended Counterclaims, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed March 11, 2005 (29 pages).
A19	Kentucky Oil's Opposition to Counterdefendants' Requests for Judicial Notice in Support of Their Motions to Dismiss Kentucky Oil Technology's First Amended Third, Fourth, Fifth, and Sixth Counterclaims, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed March 11, 2005 (3 pages).
A20	Plaintiff and Counterdefendant Memry Corporation's Reply in Support of Motion to Dismiss Kentucky Oil Technology's Third, Fourth, Fifth, and Sixth Counterclaims, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed March 18, 2005 (9 pages).
A21	Plaintiff and Counterdefendant Memry Corporation's Reply in Support of Request for Judicial Notice, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed March 18, 2005 (4 pages).
A22	Reply of Schlumberger Technology Corporation to Kentucky Oil Technology's Opposition to First Amended, Third, Fourth, Fifth, and Sixth Counterclaims, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed March 18, 2005 (17 pages).
A23	Schlumberger's Response to Kentucky Oil's Opposition to Counterdefendants' Requests for Judicial Notice, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed March 18, 2005 (3 pages).
A24	Schlumberger's Notice of Motion and Motion to Strike Exhibits 1, 2, and 4 to the Declaration of Nicola A. Pisano, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed March 18, 2005 (3 pages).
A25	Kentucky Oil's Opposition to STC's Motion to Strike Exhibits 1, 3 and 4 to the Declaration of Nicola A. Pisano, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed March 25, 2005 (3 pages).
A26	Kentucky Oil's Notice of Motion and Motion to Strike Declaration of Benjamin Holl and Portions of Counterdefendants' Reply Briefs, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed March 25, 2005 (4 pages).
<del>A27</del>	[Proposed] Order Granting Kentucky Oil's Motion to Strike Declaration of Benjamin Holl and Portions of Counterdefendants' Reply Briefs, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), entered March 25, 2005 (2 pages).

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<p>• EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include any copy of this form with next communication to applicant.</p>	

Form PTO-1449 (MODIFIED)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 075496-0196	SERIAL NO. 10/776,095
INFORMATION DISCLOSURE CITATION  (Use several sheets if necessary)		APPLICANT Johnson et al.	APPLICANT
		FILING DATE 2/11/2004	GROUP ART UNIT 3672

<del>A28</del>	Order Granting in Part and Denying in Part Counterdefendants' Motion to Dismiss, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), entered April 8, 2005 (26 pages).
A29	Plaintiff and Counterdefendant Memry Corporation's Reply to Kentucky Oil Technology N.V.'s Counterclaims and Demand for Jury Trial, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed April 18, 2005 (8 pages).
A30	Second Amended Counterclaims of Kentucky Oil Technology N.V. Against Memry Corporation and Schlumberger Technology Corporation, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed May 6, 2005 (20 pages).
A31	Plaintiff Memry Corporation's Reply to Kentucky Oil Technology N.V.'s Second Amended Counterclaims and Demand for Jury Trial, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed June 3, 2005 (9 pages).
A32	Schlumberger Technology Corporation's Notice of Motion and Motion to Dismiss the Fourth, Fifth, Sixth, Seventh and Eighth Counterclaims in Kentucky Oil Technology's Second Amended Counterclaims, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed June 3, 2005 (18 pages).
A33	Opposition of Kentucky Oil Technology to Schlumberger Technology Corporation's Motion to Dismiss Kentucky Oil's Second Amended Counterclaims, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed June 17, 2005 (16 pages).
A34	Schlumberger Technology Corporation's Reply Brief in Support of its Motion to Dismiss the Fourth, Fifth, Sixth, Seventh and Eighth Counterclaims in Kentucky Oil Technology's Second Amended Counterclaims, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed June 24, 2005 (11 pages).
A35	Order Granting in Part and Denying in Part STC's Motion to Dismiss, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), entered July 14, 2005 (8 pages).
A36	Schlumberger Technology Corporation's Answer to Kentucky Oil Technology's Second Amended Counterclaims, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed July 28, 2005 (8 pages).
A37	Notice of Motion and Motion by Kentucky Oil To Compel Production of Documents by Schlumberger Technology Corporation Pursuant to Fed. R. Civ. Rule 37; Memorandum of Points and Authorities in Support Thereof; Declaration of Michael Bierman, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed July 28, 2005 (32 pages).
A38	Schlumberger Technology Corporation's Opposition to Kentucky Oil Technology's Motion to Compel, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed August 4, 2005 (21 pages).
A39	Declaration of David B. Moyer in Support of Schlumberger Technology Corporation's Opposition to Kentucky Oil Technology's Motion to Compel, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed August 4, 2005 (52 pages).
A40	Kentucky Oil's Reply in Support of Motion to Compel, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed August 10, 2005 (18 pages).
A41	Declaration of Nicola A. Pisano in Support of Kentucky Oil's Motion to Compel, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), filed August 10, 2005 (69 pages).
<del>A42</del>	Order Granting Kentucky Oil's Motion to Compel Production of Documents, Memry Corporation v. Kentucky Oil Technology, N.V., Case No. C-04-03843, (N.D. Cal.), entered August 17, 2005 (8 pages).

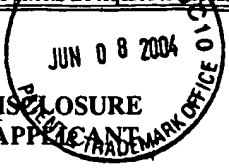
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PTO/SB/08A (10-96)

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Substitute for form 1449A/PTO			<div style="text-align: center;">  </div>		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>			<b>Complete if Known</b>		
			Application Number	10/776,095	
			Filing Date	February 11, 2004	
			First Named Inventor	Johnson, Craig et al	
			Group Art Unit	3672	
Examiner Name					
Sheet	1	of	3	Attorney Docket Number	68.0230CNT1

### U.S. PATENT DOCUMENTS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup>			
<i>h</i>	<i>2</i>	261,252		Olmsted	07/1982	
		1,135,809		Jones	04/1915	
		1,229,437		Foster	06/1917	
		2,812,025		Teague et al	11/1957	
		2,835,328		Thompson	05/1958	
		2,990,017		Powers	06/1961	
		3,297,092		Jennings	01/1967	
		3,353,599		Swift	11/1967	
		3,482,629		Suman, Jr.	12/1969	
		5,348,095		Worrall et al	09/1994	
		5,366,012		Lohbeck	11/1994	
		5,667,011		Gill et al	09/1997	
		5,901,789		Donnelley et al	05/1999	
		6,012,522		Donnelley et al	01/2000	
		6,263,966		Haut et al	07/2001	
		6,263,972		Richard et al	07/2001	
		6,315,040		Donnelly	11/2001	
		6,488,702		Besselink	12/2002	
<i>h</i>	<i>2</i>	6,706,063		Besselink	03/2004	

### FOREIGN PATENT DOCUMENTS

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup>				
<i>h</i>	<i>2</i>		WO 96/37680		Lohbeck	28.11.1996		
			WO 98/00626		Donnelly	08.01.1998		
			WO 98/22690		Lohbeck	28.05.1998		
			WO 98/26152		McCallum	18.06.1998		
			WO 98/32412		Scimed Life Systems, Inc.	30.07.1998		
			WO 98/49423		Donnelly	05.11.1998		
			WO 99/02818		McCallum	21.01.1999		
			WO 99/23354		McCallum	14.05.1999		
<i>R</i>	<i>2</i>		WO 2004/014255		Abbott Laboratories Vascular Enterprises, Ltd.	19.02.2004		

Examiner Signature	<i>[Signature]</i>	Date Considered	10 Apr 06
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<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>	
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				Filing Date	February 11, 2004
				First Named Inventor	Johnson, Craig et al
				Group Art Unit	3672
				Examiner Name	
Sheet	3	of	3	Attorney Docket Number	68.0230CNT1
<b>OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>2</sup>
	—	BESSELINK, PETER; Biflex Stents; SMST-99: Proceedings of the First European Conference on Shape Memory and Superelastic Technologies, Antwerp Zoo, Belgium, 1999; pp 142-150.			—
Examiner Signature				Date Considered	18 APR 06

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<sup>1</sup>Unique citation designation number. <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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